



LENA C. TAYLOR

Wisconsin State Senator • 4th District

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Testimony of Senator Lena C. Taylor

**SB 676 Relating to Law Enforcement Standards and Rule-Making Authority
Committee for the Judiciary, Insurance, Corrections, Finance and Housing
April 19, 2010**

Honorable members of the committee:

Thank you for taking testimony today on SB 676 that will allow the Law Enforcement Standards Board (the board) to update the professional standards for law enforcement officers.

This bill seeks to allow flexibility in areas where the board is expert while requiring more stringent standards for the training and education of law enforcement officers because some of the standards have not changed in years and are outdated.

Under current law, the board establishes professional standards and educational and training standards for law enforcement officers, tribal law enforcement officers, jail officers, juvenile detention officers and constables.

This bill separates the training standards into three categories so that the training is more targeted to each job. The categories are training and education for: 1) law enforcement officers and tribal law enforcement officers, 2) jail officers and 3) juvenile detention officers.

New training and education protocols are established under this bill for law enforcement students, recruits, and temporary or probationary employees. In order to participate in training, law enforcement officer and tribal law enforcement officer students must:

1. Submit fingerprints and undergo a criminal background check.
2. Must not be convicted of a felony or of a misdemeanor related to domestic violence
3. Must complete his or her training program within the temporary or probationary employment, not to exceed 18 months, unless good cause exists.
4. Have training in cultural differences, mental health and physical health conditions that can affect behavior, and arrest and pursuit procedures.

The bill allows the board, the experts on these issues to determine the specific training curricula, including the required subjects, number of hours, objectives, and measures of performance for the training and education protocol for each category of officer.

We must pass SB 676; it is vital that we allow those that are experienced in these matters to determine the rules for training. The Board must be responsive to the fast pace of change in circumstances that officers encounter.



**STATE OF WISCONSIN
LAW ENFORCEMENT STANDARDS BOARD**

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April 19, 2010

**WRITTEN COMMENTS OF THE WISCONSIN LAW ENFORCEMENT STANDARDS
BOARD ON SENATE BILL 676**

Honorable Members of the Senate Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing:

My name is Ken Hammond and I am the Director of DOJ's Training and Standards Bureau. I am here today to testify on behalf of the Wisconsin Law Enforcement Standards Board in support of SB 676.

First, I want to thank Chairperson Taylor for introducing and holding a public hearing on SB 676. I also want to thank Representative Hraychuck for her work on this important proposal.

Section s. 165.85 of the statutes establishes the categories for training and standards of criminal justice professionals in Wisconsin. These include:

Law Enforcement and Tribal Law Enforcement Officers
Jail Officers
Secure Juvenile Detention Officers

The Law Enforcement Standards Board (Board), a 15-member body appointed by the Governor, sets minimum employment, education, and training standards. It certifies persons who meet the standards as qualified to be officers. Since its creation in 1969, the Board has consulted with other governmental agencies and associations regarding the development of training schools and curriculum. It conducts research to improve law enforcement, jail and secure detention professions. The Board also monitors and evaluates compliance with standards.

To assist in establishing training curriculum requirements, the Board appoints a 13-member Curriculum Advisory Committee comprised of police chiefs, sheriffs and the Wisconsin State Patrol. This committee provides advice in all aspects of preparatory and recertification knowledge, and the skills and abilities necessary to achieve effective performance as an officer. The Department of Justice administers funds within this section and the Training and Standards Bureau acts as the staffing arm of the Board. The bureau utilizes topical advisory committees comprised of subject matter experts from across the state to develop training that is then considered by the Curriculum Advisory Committee and, eventually, the Law Enforcement Standards Board. In other words, a number of working criminal justice professionals have scrutinized the proposals that led to the bill that is before you today.

As the Director of the bureau I appear today at the request of the Board. Some professional standards that govern law enforcement employment have not been changed for many years and need to be updated. What SB676 does, in large degree, is update and improve the administration of criminal justice across the state. It serves important public safety interests by modernizing the professional requirements that directly impact the health, safety and welfare of the people of this state. The principle changes in this bill include:

The bill requires fingerprinting of law enforcement students for the purpose of criminal background checks. Without this change we cannot access important FBI records, such as criminal arrests and convictions that occurred outside Wisconsin.

Prohibits persons convicted of an out of state felony or any crime of domestic violence from taking part in basic training unless that person has a full pardon for the crime.

Reduces the time allowed for completing basic training to a standard 18 months from the actual date of hire. Currently full-time employees have 24 months and part-time employees have 36 months to complete basic training.

This bill specifies that until a recruit completes basic training they may perform the duties of a law enforcement officer only while under the oversight of a fully certified officer.

The bill removes existing statutory references to specific hours for various preparatory programs. For example, the current language calls for 400 hours of training for law enforcement recruits. However, due to voluntary adoption of new curriculum developed by the Board, the minimum course offering in Wisconsin is currently 520 hours. This bill improves the flexibility of the Board to make changes by written directives without having to amend state law.

Eliminates an old provision for a special 240-hour program for WisDNR park rangers that was never developed and in which the agency has indicated no further interest in pursuing.

The bill includes minor revisions that clarify and eliminate inconsistencies in existing language. For example, one portion of current law refers to 'annual' recertification while another calls for 'biennial' recertification training for police pursuit standards. This bill brings that into alignment as a biennial requirement.

The Board has been working for years to update training and standards. A discussion of the need for statute revision began in earnest with a draft proposal circulated in December 2008. Since that time most organized groups and associations have been briefed on the proposal. That initial draft was reviewed and revised, and the final content accepted and approved by the Board for submission to the legislature. Over the entire period of discussion, information about the proposal has been posted on the public access section of the bureau's website at <http://wilenet.org>. If this legislation is passed, I expect significant improvements to training, standards and the process of development and delivery of professional criminal justice services leading to a safer Wisconsin.

Members, I and the Board wholeheartedly support this bill and I urge you all to do so as well.